

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



March 30, 2015

Mr. Steven E. Sher  
Director of Zoning and Land Use Services  
Holland & Knight LLP  
800 17<sup>th</sup> Street, NW - Suite 1100  
Washington, DC 20006

Re: Square 527 3<sup>rd</sup>, 4<sup>th</sup>, I and K Streets, N.W.

Dear Mr. Sher:

This is to confirm the substance of our discussion on February 19, 2015, concerning the above referenced property. The property is currently known as lots 19, 851 and 853 in Square 527 and includes all of the Square bounded by 3<sup>rd</sup>, 4<sup>th</sup>, I and K Streets, N.W., with the exception of lot 800 located at the corner of 3<sup>rd</sup> and I Streets. The property is zoned DD/C-2-C.

The property is proposed to be subdivided into a new single record lot and to be improved with an office building to be built in three phases and to constitute a single building under the Zoning Regulations. There will be multiple pedestrian entrances to the building. All parking and loading will be accessed from a front-in, front-out covered service driveway running east-west between 3<sup>rd</sup> and 4<sup>th</sup> Streets. That service driveway will provide access to separate parking garages under each phase of the building and will also lead to loading areas which will be connected to all the phases of the building.

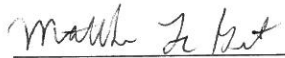
In our meeting, we discussed the following items:

- Measurement of height: Because the building will front on all four streets which surround the square, height may be measured from the street elevation which allows the greatest height. The width of K Street, 147.67 feet, or the width of 3<sup>rd</sup> Street, 110 feet, are both wide enough to be used to determine the maximum permitted height, which is 130 feet under the DD Overlay. K Street is higher than any of the other streets. Regardless of the order of phasing of construction, the measuring point for height will be the level of the curb opposite the middle of the front of the building on K Street. For the overall building, that measuring point is approximately elevation 47.5 and the overall height of the entire building will be a maximum of 130 feet. The middle of the front of Phase A extended out to the curb at K Street, is approximately elevation 48. The height of Phase A is 113.5 feet. You advised that, prior to the issuance of permits, there will be in place a covenant allocating development rights among the three phases and committing the owners to maintain the building as a single building under the Zoning Regulations. Accordingly, given the facts stated above, the height of Phase A will conform whether taken from the ultimate measuring point which will result when all the phases are considered or from the midpoint of Phase A extended out to the curb on K Street.

- Connections to make a single building: The Regulations provide that the existence of communication below the level of the main floor does not make a single building. Conversely, the existence of communication at or above the level of the main floor does create a single building. The main floor is defined as the one containing the principal entrance. This building has entrances on 3<sup>rd</sup>, 4<sup>th</sup> and K Streets. The covered service driveway at the level of the main floor connects the parking and loading areas in all three phases to common areas in all parts of the building. This arrangement complies with the requirements of the Zoning Regulations to be considered a single building.

Please let me know if you have any further questions.

Sincerely,

  
Matthew Le Grant  
Zoning Administrator

Attachments - Plat  
- Proposed Lot Arrangement  
- Floor Plans